

LFC Requester:**Christina Keyes**

**AGENCY BILL ANALYSIS
2016 REGULAR SESSION**

WITHIN 24 HOURS OF BILL POSTING, EMAIL ANALYSIS TO:

LFC@NMLEGIS.GOV

and

DFA@STATE.NM.US

{Include the bill no. in the email subject line, e.g., HB2, and only attach one bill analysis and related documentation per email message}

SECTION I: GENERAL INFORMATION

{Indicate if analysis is on an original bill, amendment, substitute or a correction of a previous bill}

Check all that apply:

Original ☒ **Amendment** ☐

Correction ☐ **Substitute** ☐

Michael S. Sanchez and

Sponsor: Patricia Roybal Caballero

Agency Code: Office of the Attorney General

Short Automatic driver's license

Person Writing Dylan K. Lange

Title: voter registration

Phone: 827-7479

Email Dlange@nmag.gov

Date 1/13/2016

Bill No: SB2-305

SECTION II: FISCAL IMPACT

APPROPRIATION (dollars in thousands)

Appropriation		Recurring or Nonrecurring	Fund Affected
FY16	FY17		

(Parenthesis () Indicate Expenditure Decreases)

REVENUE (dollars in thousands)

Estimated Revenue			Recurring or Nonrecurring	Fund Affected
FY16	FY17	FY18		

(Parenthesis () Indicate Expenditure Decreases)

ESTIMATED ADDITIONAL OPERATING BUDGET IMPACT (dollars in thousands)

	FY16	FY17	FY18	3 Year Total Cost	Recurring or Nonrecurring	Fund Affected
Total						

(Parenthesis () Indicate Expenditure Decreases)

Relates to: HJR2 (All Qualified Electors Registered to Vote)

Duplicates/Relates to Appropriation in the General Appropriation Act

SECTION III: NARRATIVE

BILL SUMMARY

This analysis is neither a formal Attorney General's Opinion nor an Attorney General's Advisory Letter. This is a staff analysis in response to an agency's, committee's, or legislator's request.

Synopsis:

SB2 in Section 1 amends chapter 80, Section 4 to automatically register to vote those qualified electors who apply for or renew a driver's license or identification card.

Section 1 (A) removes the "with consent" language of the current statute in favor of automatic enrolment into voter registration.

Section 1 (B) adds language relating to non-eligible electors, due to age, being automatically pre-registered to vote. This is an entirely new section.

The only other proposed amendment in Section 1 is (D)(2) which removes the word "may" and changes it to "will."

SB2 in Section 2 adds new material regarding "pre-registered" electors, specifically, pertaining to person eighteen years of age or younger.

The following sections: (A),(B), and (C) provide the procedure regarding pre-registered electors becoming registered voters.

Section (C) provides that if a person does not decline to be registered to vote within 21 days after the county clerk issued a notification, the person's electronic record and signature shall constitute a completed certificate of registration.

FISCAL IMPLICATIONS

There will be an administrative cost associated with the transfer of electronic records between three state agencies. Additionally, there will be an administrative cost incurred by the individual county clerk offices throughout the state, in order to fulfill the duties proposed in Section NMSA 1978, 1-4-47.1.

SIGNIFICANT ISSUES

No significant issues. Section 1-4-47(D) states that DMV personnel will advise a qualified elector that he/she will be simultaneously registered to vote when applying for licensure. This affords them notice of automatic enrolment.

PERFORMANCE IMPLICATIONS

ADMINISTRATIVE IMPLICATIONS

CONFLICT, DUPLICATION, COMPANIONSHIP, RELATIONSHIP

There is a proposed amendment to the NM Constitution, HJR2. Its short title is “All Qualified Electors Registered to Vote.” This amendment relates to SB2, as it would ensure that all eligible electors be registered to vote.

TECHNICAL ISSUES

OTHER SUBSTANTIVE ISSUES

It may be questioned whether the 21 day window to allow a pre-registered voter to decline automatic enrollment enough time. Possibly, should the 21 day notice be triggered by receipt of the notice by the qualified elector rather than the day the county clerk issued the notification?

ALTERNATIVES

WHAT WILL BE THE CONSEQUENCES OF NOT ENACTING THIS BILL

Status quo.

AMENDMENTS